

AMENDED

TEMPORARY Application No. 89248

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**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office Oct 07 2019

Returned to applicant for correction OCT 17 2019

Corrected application filed OCT 24 2019 Map filed OCT 24 2019

The applicant Esmeralda Minerals, LLC

108 N. Minnesota St.

of Carson City

Street Address or PO Box

City or Town

Nevada 89703

paul@legaltnt.com

State and ZIP Code

E-mail Address

hereby make(s) application for permission to change the

☒ Point of diversion

☐ Place of use

☐ Manner of use

☒ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give the of Decree and identify right in Decree.)

Application 87617

1. The source of water is Underground

.0167 cfs Name of stream, lake, underground, spring or other source

2. The amount of water to be changed 0.02342 cfs, 25 AFA

Give diversion rate in cubic feet per second (CFS) AND duty in acre-feet annually (AFA).

3. The water to be used for Mining and milling

Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use

4. The water heretofore used for Mining and milling

If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)

within the NW 1/4 NE 1/4 of Section 31, T.2S., R.40E., M.D.B.&M., or at a point from which the NE corner of Section 27, T.1S., R.40E., M.D.B.&M. bears N. 30° 6' 57.38" E., a distance of 44,224.5 feet.
(See Attached Map, POD = CV-08 Well)

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

Within the SW 1/4 NE 1/4 of Section 29, T.02S., R.40E., M.D.B.&M., or at a point from which the E 1/4 corner of said Section 29 bears S73°39'22"E a distance of 1,489 feet. (See Map filed under 87617)

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per
agent
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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Within a portion of Section 22, T.2S., R.39E., M.D.B.&M.; and within the SW1/4 NE1/4 of Section 29, T.2S., R.40E., M.D.B.&M. (See Map filed under 87617)

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

Within a portion of Section 22, T.2S., R.39E., M.D.B.&M.; and within the SW1/4 NE1/4 of Section 29, T.2S., R.40E., M.D.B.&M. (See Map filed under 87617)

9. Proposed use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Applicant will use existing wells CV-07 and CV-08 to divert the finite-term water under Application 87617. Existing wells are currently permitted under MO-2156A.

12. Estimated cost of works N/A - works complete

13. Estimated time required to construct works N/A - works complete

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 1 yr

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

Applicant will divert water granted under finite-term Permit 87617 from existing wells in Clayton Valley, instead of drilling new well as contemplated in finite-term Permit 87617.

16. Miscellaneous remarks:

This application is being filed with a second temporary change application to change a portion of the finite-term water right to existing wells CV-07 and CV-08. 25 AF will be diverted from CV-07; 25 AF will be diverted from CV-08. TCD of both temporary change applications not to exceed 50 AF.

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E-mail Address

(775) 882-9900

Phone No.

Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Timothy D. O'Connor, Esq.

Type or print name clearly

Signature, applicant or agent

Taggart & Taggart, Ltd.

Company Name

108 N. Minnesota St.

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City, State, ZIP Code